



Order Filed on October 6, 2015  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

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In the Matter of:	UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY
FRANK D PERKOWSKY, JR. AND REBECCA PERKOWSKY	Chapter 7
Debtor.	Case No. 15-16734/CMG
	Honorable Christine M. Gravelle

**ORDER AUTHORIZING TRUSTEE TO (i) SELL THE REAL PROPERTY OF THE ESTATE LOCATED AT 353 SIDNEY ROAD, PITTSTOWN, NEW JERSEY FREE AND CLEAR OF ALL LIENS, WITH LIENS, IF ANY, TO ATTACH TO PROCEEDS PURSUANT TO 11 U.S.C. SECTION 363 (ii) SELL THE DEBTOR'S INTEREST IN THE SIDNEY ROAD PROPERTY; (iii) AUTHORIZING THE TRUSTEE TO EXECUTE THE CONTRACT FOR SALE OF THE REAL PROPERTY (iv) AUTHORIZING THE TRUSTEE TO PAY REALTOR COMMISSIONS AT CLOSING AND (v) FOR SUCH OTHER AND FURTHER RELIEF AS THIS COURT DEEMS JUST AND EQUITABLE**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby ORDERED.

**DATED: October 6, 2015**

  
Honorable Christine M. Gravelle  
United States Bankruptcy Judge

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This matter having been brought before the Court upon the Certification of the Chapter 7 Trustee, Peggy E. Stalford, by and seeking entry of an Order(i) approving the sale of the real property of the state located at 353 Sidney Road, Pittstown, New Jersey, (hereinafter the "Sidney Road Property") free and clear of all liens with liens if any to attach to the proceeds of sale pursuant to 11 U.S.C. Section 363; (ii) approving the sale of the debtor's interest in the Sidney Road Property; (iii) authorizing the Trustee to execute the contract for sale of the real property (iv) authorizing the Trustee to Pay Realtor Commissions at closing and (v) for such further relief as this Court deems just and equitable, and the Court having considered oral argument and for good cause shown;

IT IS HEREBY ORDERED that:

1. The Trustee is authorized to execute the Contract for Sale of real property located at 353 Sidney Road, Pittstown, New Jersey, to Martina Palmer. The Trustee shall be authorized to execute any and all closing documents necessary to effectuate this sale, and expend such monies and to take such additional actions as may be necessary to implement, effectuate and consummate this transaction;

2. This Court approves the Contract for Sale of the real property of the estate located at 353 Sidney Road, Pittstown, New Jersey between the Trustee and Martina Palmer for a purchase price of \$1,075,000.00 free and clear of all liens, claims and encumbrances, with liens,

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claims and encumbrances, if any, to attach to the proceeds of sale pursuant to 11 U.S.C. Section 363.

3. The Court hereby finds that this sale is in the best interest of the estate and is for fair value of this property and is in good faith.

4. The Trustee shall be authorized to execute any and all documents necessary to effectuate the sale and conveyance of this property.

5. The Trustee shall be authorized to make payment at closing to all taxing authorities to satisfy all tax claims against the property.

6. On account of the First Mortgage of Hopewell Valley Community Bank, its successors and or Assigns shall be paid at closing in full satisfaction of the Hopewell Valley Community Banks mortgage, the sum of \$441,561.27 as of October 6, 2015 from the proceeds of sale and per diem interest shall continue to accrue at the rate of \$44.46 from October 6, 2105 until the date of closing. Upon receipt of the monies, Hopewell Valley Community bank shall promptly discharge the mortgage.

7. The Trustee shall pay at closing Community First Bank and Magyar Bank in accordance with the Consent Order entered September 3, 2015, docket number 44, annexed hereto as Exhibit "A". Upon receipt of the monies, Community First Bank and Magyar Bank shall promptly discharge their respective mortgages.

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8. Pursuant to LBR 6004-1(b) the Notice of Private Sale and certification in support of sale included a request to pay the real estate broker commissions at closing, therefore these professionals may be paid at closing.

9. The provisions of 11 U.S.C. Section 363(m) fully apply. The provisions of Federal Rules of Bankruptcy procedure 6004(h) are hereby waived.

10. The Trustee and Buyer will agree upon a closing date and the Debtor shall vacate the Property on or before the closing date.

11. A copy of this Order shall be served on all parties in interest within seven (7) days of entry.